PROCEEDINGS OF THE COMMON COUNCIL IN REGULAR SESSION, TUESDAY , MAY 27, 196 9 .

CITY OF FORT WAYNE, INDIANA Journal of the Proceedings of the Common Council

The Common Council of	the City of Fort Wayne met in the Counci	1 Chamber Tuesday
evening, <u>May</u>	27 , A.D., 196 9 in <u>Regular</u>	Session. President
Herbert G. Tipton	in the chair, and Fuad G. Bonahoom	Clerk, at the desk,
present the following member	ers viz:	
Adams Dunifon	Fay Geake Nuckols	Robinson
Rousseau	Steigerwald O Tipton L.	
Absent/	viz: Councilman	
The minutes of the las	st regular <u>May 13, 1969</u>	session having been delivered

The minutes of the last regular May 13, 1969 to the Council, were, on Motion, approved as published.



City of Fort Wayne

COMMUNICATION FROM THE MAYOR

To the Common Council Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Today, May 15, 1969, I have approved the following ordinances passed by the Common Council at its regular meeting on May 13, 1969:

(Bill No. Z-69-01-23)

ZONING MAP ORDINANCE NO. Z-71-69

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. JJ-3.

(Bill No. Z-69-04-07)

ZONING MAP ORDINANCE NO. Z-72-69

AN ORDINANCE amending the City of Fort Wayne Zoning Maps Nos. C-1 and C-2.

(Bill No. A-69-04-16)

APPROPRIATION ORDINANCE NO. A-52-69

AN ORDINANCE appropriating and transferring funds within the 1969 Budget of the City Clerk.

(Bill No. A-69-04-17)

APPROPRIATION ORDINANCE NO. A-53-69

AN ORDINANCE appropriating funds from the General Fund of the 1969 Budget to Account No. 27-7-73, Cumulative Central City Park Land.

(Bill No. A-69-04-18)

APPROPRIATION ORDINANCE NO. A-54-69

AN ORDINANCE appropriating funds from the General Fund of the 1969 Budget to Account No. 2-2-213H in the 1969 Budget of the City Controller.

(Bill No. A-69-04-19)

APPROPRIATION ORDINANCE NO. A-55-69

AN ORDINANCE transferring funds within the 1969 Budget of the City Controller.

(Bill No. S-69-04-20)

SPECIAL ORDINANCE NO. S-243-69

AN ORDINANCE approving a contract with OL^{D} FORT FENCE & GUARD RAIL CORPORATION for 1595 feet of fence.



MADE A MATTER OF RECORD

DATE 5-27-69 SUND G. SONAHOOM, CITY CLERK

(Bill No. S-69-04-21) SPECIAL ORDINANCE NO. S-244-69

AN ORDINANCE approving a contract with CENTRAL TRANSFORMER CORPORATION for 21 Transformers for the Hanna-Creighton Redevelopment Area.

(Bill No. S-69-04-22)

SPECIAL ORDINANCE NO. S-245-69

AN ORDINANCE approving a contract with GENERAL ELECTRIC SUPPLY COMPANY for 3000 feet of Cable and Accessories for the Light Construction Department.

(Bill No. S-69-04-23)

SPECIAL ORDINANCE NO. S-246-69

AN ORDINANCE approving a contract with ALLEN COUNTY MOTORS for one 1969 Truck for the Water Engineering Department.

(Bill No. S-69-04-24)

SPECIAL ORDINANCE NO. S-247-69

AN ORDINANCE approving 7 contracts with ALLEN COUNTY MOTORS for 7 trucks for the Light Construction and Water Construction Department.

(Bill No. S-69-04-25)

SPECIAL ORDINANCE NO. S-248-69

AN ORDINANCE approving the purchase of Right-of-Way for the Baer Field Highway Project.

(Bill No. S-69-04-27)

SPECIAL ORDINANCE NO. S-249-69

AN ORDINANCE approving an Agreement for Engineering Services in connection with a new bridge and approaches over the St. Marys River, serving the Ewing, Wells, Fairfield Thoroughfare System.

(Bill No. S-69-04-28)

SPECIAL ORDINANCE NO. S-250-69

AN ORDINANCE approving a certain bid document with PASS ELECTRIC, INC. for installation of Traffic Signal at McKinnie Avenue and Hessen Cassel Road and modernization of Traffic Signal at intersection of College and Wall Streets.

(Bill No. R-69-05-20)

RESOLUTION NO. R-41-69

RESOLUTION authorizing payment for repairs to City-owned vehicles.

Respectfully submitted,

Harold S. Zeis

Mayor



City of Fort Wayne

May 16, 1969

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City Hall Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Attached hereto are the recommendations of the City Plan Commission on three (3) ordinances concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinances are designated as:

Bill No. Z-69-02-24 Bill No. Z-69-04-06 Bill No. Z-69-04-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this 16th day of May 1969.



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 25, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-02-24; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 17, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 24, 1969.

Certified and signed this 16th day of May 1969.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 8, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-04-06; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 21, 1969;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 28, 1969.

Certified and signed this 16th day of May 1969.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 8, 1969, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-69-04-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 21, 1969; and,

WHEREAS, this Plan Commission finds that in the interest of the public and the spirit of the Zoning Ordinance, said proposed bill to rezone could be improved by deleting the letters and number "B3A" and substituting therefor the letters and number "B3B", and that such change amounts to perfecting the bill and does not constitute a fundamental change or one which will alter the identity of the proposal;

NOW THEREFORE, BE IT RESOLVED that said ordinance be amended by deleting the letters and number "B3A" and substituting therefor the letters and number "B3B"; and,

- That such change amounts to perfecting the bill and does not constitute a fundamental change or one which will alter the identity of the proposal; and,
- 2. That as so amended, said ordinance DO PASS.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 28, 1969.

Certified and signed this 16th day of May 1969.



City of Fort Wayne

COMMUNICATION FROM BOARD OF PUBLIC SAFETY

May 15, 1969

President of the Common Council City of Fort Wayne, Indiana

Dear Sir:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolutions number 19-69/D and 20-69/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate same into the minutes of the next Common Council Meeting.

Respectfully submitted,

Melvin H. Heckman, Chairman BOARD OF PUBLIC SAFETY

BY:

George W. Bormuth, Exec. Sec'y

mb



RETURN CERTIFICATE

(Regulatory Resolution No. 19-69 / D) & 20-69/E

I hereby certify that I did this 15th day of			
May, 196 9 deliver to each, the City Traffic			
Engineer, the Chief of Police, the City Attorney, The City			
Clerk and the President of the Common Council of the City			
of Fort Wayne, Indiana, respectively, a copy of the within			
Regulatory Resolution No. 19-69/D & 20-69/E of the Board of Public			
Safety of the City of Fort Wayne, duly certified by me as			
Secretary of said Board, in accordance with the provisions			
of Section 20 (a) of Chapter 31, Municipal Code of the City			
of Fort Wayne, Indiana 1946, as amended by General Ordi-			
nance G-55, adopted FEB. (4, 1961.			

EXECUTIVE SECRETARY

Ew Bormock

REGULATORY RESOLUTION NO. 19-69/D <u>14</u>, 1969_) (Adopted ____ May WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB, 14, 1961. authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and, WHEREAS, Section 62, 121 & 125 of said chapter as so amended delegates to this Board authority to __designate preferential intersections, restrict parking near hazardous or congested places and designate public carrier stands WHEREAS, the City Traffic Engineer has, by written memorandum dated May 13, 1969, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board; NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA: That, pursuant to the authority delegated to this Board by Section 62, 121 6 125 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. ordered, effective May $\underline{14}$, 1969, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED: A. Preferential Intersection: Lillie Street - Preferential at Alliger Street.
 Archer Avenue - Preferential at Meridian Street. Jackson Street - Preferential at Wilt Street. Rivermet Avenue - Preferential at Oneida Street. No Parking:

Alliger Street - south side - from Lillie St. to 50'

Main Street - north side - from 20 feet west of

Randolph Street - south side - from Spy Run Ave. to 100'

Calhoun St. to 50 feet west thereof. Berry Street - north side - from 20 feet east of Court St.

west thereof.

west thereof.

to 50 feet east thereof.

Taxi Zone:

C.

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G -55 adopted FEB. 14 1961
authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,
WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with re-
gard to no parking, one-way street and the
deletion of no parking 7:00 A.M. to 5:00 P.M.
; and,
WHEREAS, the City Traffic: Engineer has, by written
memorandum dated May 13 , 1969 , submitted to this Board his advice with regard to the regulation
hereinafter adopted, which written memorandum is on file
in the office of this Board;
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:
That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-
tions, it is hereby ordered, effective May 14,
196 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:
A. No Parking:
1. Felician Street - north side - from Holly Ave. to Woodside Court.
 Taylor Street - south side - from LaFontain St. to 50' east of Catalpa St.
B. One-Way Street:
1. Butler Street - westbound - from Calhoun St. to Fairfield A
C. No Parking 7:00 A.M 5:00 P.M.:
DELETE
1. Randolph Street - south side - from Spy Run Ave. to west terminus.

REGULATORY RESOLUTION NO. 20-69E

(Adopted <u>May</u> 14, 1969)

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE

It is with a deep feeling of civic and personal loss that the Council received word of the death of Robert E. Wilkerson, who by his devotion through his years of active life to the needs of others has exemplified the best and noblest motivation. In preparation for this life of service, he secured at considerable sacrifice both a Bachelor's Degree with Fisk University and a Master's Degree from the University of Minnesota. Well-educated, intelligent, with a well-developed social consciousness, he worked as a teacher and for many years as executive director of the Urban League. In this work, he was articulate, forceful; but at all times a true gentleman. In like spirit of good citizenship, he has served on the Board of Directors of the Associated Churches and served also as a member of the Fort Wayne Public Transportation Corporation. He also served numerous other religious, charitable, civic and other associations.

Never violent, yet he was always forceful; a strong advocate of what he believed in, he still understood and appreciated the problems of others. He had a warm and friendly personality. He will be missed by all who knew or came in contact with him. Our community has been helped by his presence among us, a void will remain which will be difficult to fill.

THEREFORE, BE IT RESOLVED that the Common Council of the City of Fort Wayne, Indiana hereby expresses its appreciation for

the many civic services rendered by Robert E. Wilkerson. The City Council extends to his widow and family its deepest sympathy, and directs that a copy of this resolution be sent to his family and further directs that this resolution be made a matter of record.

MADE A MATTER OF RECORD

DATE 5-27-69 FUAD G. BONAHOOM, CITY CLERK

Dear Members of the Common Council Cety of Fort Wayne:

The resolution as to farth in appearation of the sounding of my bustoned to this commences for farence. They children from me in safeing thanks

from me in safeing thanks

for this elpsession of

Sympaiky
Reaming Thep others also
Above in this loss wice
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Sincerely
Mrs. Makert E. Wilkerson



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

JOHN NUCKOLS
MEMBER OF CITY COUNCIL
FIRST DISTRICT

20 May 1969

Herbert Tipton President City Council

Mr. Tipton and Members of the Fort Wayne City Council: Death has taken Robert E. Wilkerson, a member of the Fort Wayne Transportation Corporation, and it becomes the duty of the Council to fill the vacancy. I would like at this time to recommend Cecil Ellis who is owner and operator of the Ellis Funeral Home at 1021 East Lewis to fill that vacancy.

Yours truly,

John Nuckols

1st District Councilman

jс

Cecil Ellis 1021 East Lewis Street Fort Wayne, Indiana

wife: Juanita Ellis; teacher, Fort Wayne Community Schools Children: 1 son

EDUCATION

Morris Brown College Atlanta, Georgia

Atlanta College of Mortuary Science 1949 until 1950 Atlanta, Georgia

EMPLOYMENT

ELLIS FUNERAL HOME 1021 East Lewis Street Fort Wayne, Indiana (Owner & Operator)

1954 to present

MEMBERSHIPS

Union Baptist Church Frontiers International St. Mary Lodge #14 F&AM American Legion Post 148

COMMITTEE REPORT:

Bill No. Z-69-02-22

It is the recommendation of this Committee that this ordinance be returned to the Common Council with the recommendation that it DO NOT PASS, for the following reasons:

- a. Lake Avenue is the logical commercial district boundary on the north and this change, if granted, would start strip zoning.
- b. U. S. #30 Bypass is a limited access highway with no access points designated for this site.
- c. The future Land Use Plan establishes this site as a high density residential district and there has not been sufficient change in the area since the adoption of the General Plan to warrant a revision of the existing land use.
- d. The Common Council did not concur with the recommendation of the Plan Commission for DO NOT PASS at the northeast corner of this intersection. However, we feel that our former recommendation conformed with the General Plan and do not wish to multiply in error by rezoning this corner.

FAY W. LEAS ROBERT L. HINES BRUCE R. SNYDER

LEAS, HINES AND SNYDER

LAWYERS

1020 ANTHONY WAYNE BANK BLDG. FORT WAYNE, INDIANA - 46802

March 27, 1969

TELEPHONE

Mr. John Robinson 2106 Vance Avenue Fort Wayne, Indiana 46805

In re: Zoning Ordinance No. Z69-02-22

Northwest corner Lake Avenue and ByPass

Dear John:

There are so many of these matters that come before you that I will give you a little history so that you will be acquainted with the matters referred to in this letter. Approximately a year ago George Mallers and I met with you and the Council regarding a zoning ordinance to rezone the Northwest corner of Lake and the ByPass to accommodate a B-1-A, B-1-B, and B-4 Zoning for development of a Modern Sunoco Service Station, a national restaurant chain outlet and bake shop. After some discussion at that time, you suggested that we withdraw our then pending ordinance and refile it later. The petition has been refiled and the Plan Commission at its Executive hearing on March 24, 1969 recommended a "Do Not Pass". This ordinance will, therefore, be shortly referred to the Council.

I am writing you this letter because I am most interested in sitting down with you and the other Council members, if possible, to discuss with you the inequity that I feel would result from a failure to permit the owners to obtain the highest and best use of the property at that corner. It is presently zoned R-1 for single family residence only and obviously is not suited for that category. You will recall that approximately a month and a half ago the Council

approved a rezoning approximately 500 feet directly across the Street on the South side of Lake Avenue to a B-1-B category for development of a supermarket, I believe. Enclosed with this letter is a scale drawing from the Sun Oil Company which is in conformity with our discussion last year regarding the ingress and egress to and from the property.

I will check with the Council and be available at its Committee meeting when this ordinance is returned to the Council so that I can answer any questions that the members might have.

Very truly yours,

ROBERT L. HINES

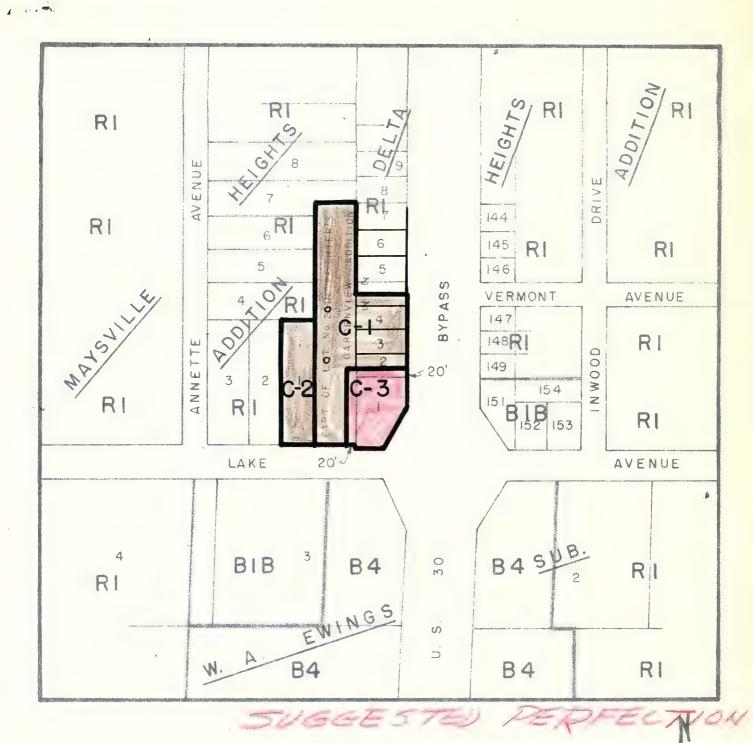
RLH: kmc

SUGGESTED PERFECTION

Perfect Bill No. Z-69-02-22 to read as follows:

- 1. Parts of Lot Number 1 and 2 in Delta Heights Addition and part of the East 5 rods of the South 32 rods of Lot Number 20 in J. H. Feichter Garden View Addition, more particularly described as follows:
- Beginning from the intersection of the Northwesterly right-of-way line of U.S. 30
 By-Pass with the Northerly right-of-way line of Lake Ave.; thence Northeasterly
 68.7' along the Northwesterly line of U.S. 30 By-Pass to a point in the Westerly
 line of U.S. 30 By-Pass; thence Northerly 128' along the Westerly line of U.S.
 30 By-Pass; thence Westerly 150' parallel with the Northerly line of Lake Ave.;
 thence Southerly 170' parallel with the Westerly line of U.S. 30 By-Pass to a point
 in the Northerly line of Lake Ave.; thence Easterly 44' along the Northerly line of
 Lake Ave.; thence South 5'; thence Easterly along the Northerly line of Lake Ave. a
 distance of 56' to the place of beginning, to be reclassified from an R-1 District
 to a B-1-B District.
- 2. The balance of Lot Number 2 together with Lots 3 and 4, and the South 1/2 of Vermont Avenue between Lots 4 and 5 all in Delta Heights Addition and the East 5 rods of the South 32 rods of Lot Number 20 in J. H. Feichter Garden View Addition except that portion described in Paragraph 1 above, to be reclassified from an R-1 District to a R-3 District.
- 3. Lot No. 1 Maysville Heights Addition from an R-1 District to a R-3 District, and agreement that no driveway entrances will be requested on U.S. 30 By-Pass.

565 P. A. A.



CHANGE -I R-I TO BE P3

CHANGE -2 R-I TO B + 23

CHANGE -3 R-I TO B-I-B

2-69-02-22

- BIB LIMITED BUSINESS - BIB LIMITED BUSINESS - P3-MULTIPLE FAMILY AND SOME SEMI-COMMERC USES.

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE

It is with a deep feeling of civic and personal loss that the Council received word of the death of Robert E. Wilkerson, who by his devotion through his years of active life to the needs of others has exemplified the best and noblest motivation. In preparation for this life of service, he secured at considerable sacrifice both a Bachelor's Degree with Fisk University and a Master's Degree from the University of Minnesota. Well-educated, intelligent, with a well-developed social consciousness, he worked as a teacher and for many years as executive director of the Urban League. In this work, he was articulate, forceful; but at all times a true gentleman. In like spirit of good citizenship, he has served on the Board of Directors of the Associated Churches and served also as a member of the Fort Wayne Public Transportation Corporation. He also served numerous other religious, charitable, civic and other associations.

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RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE

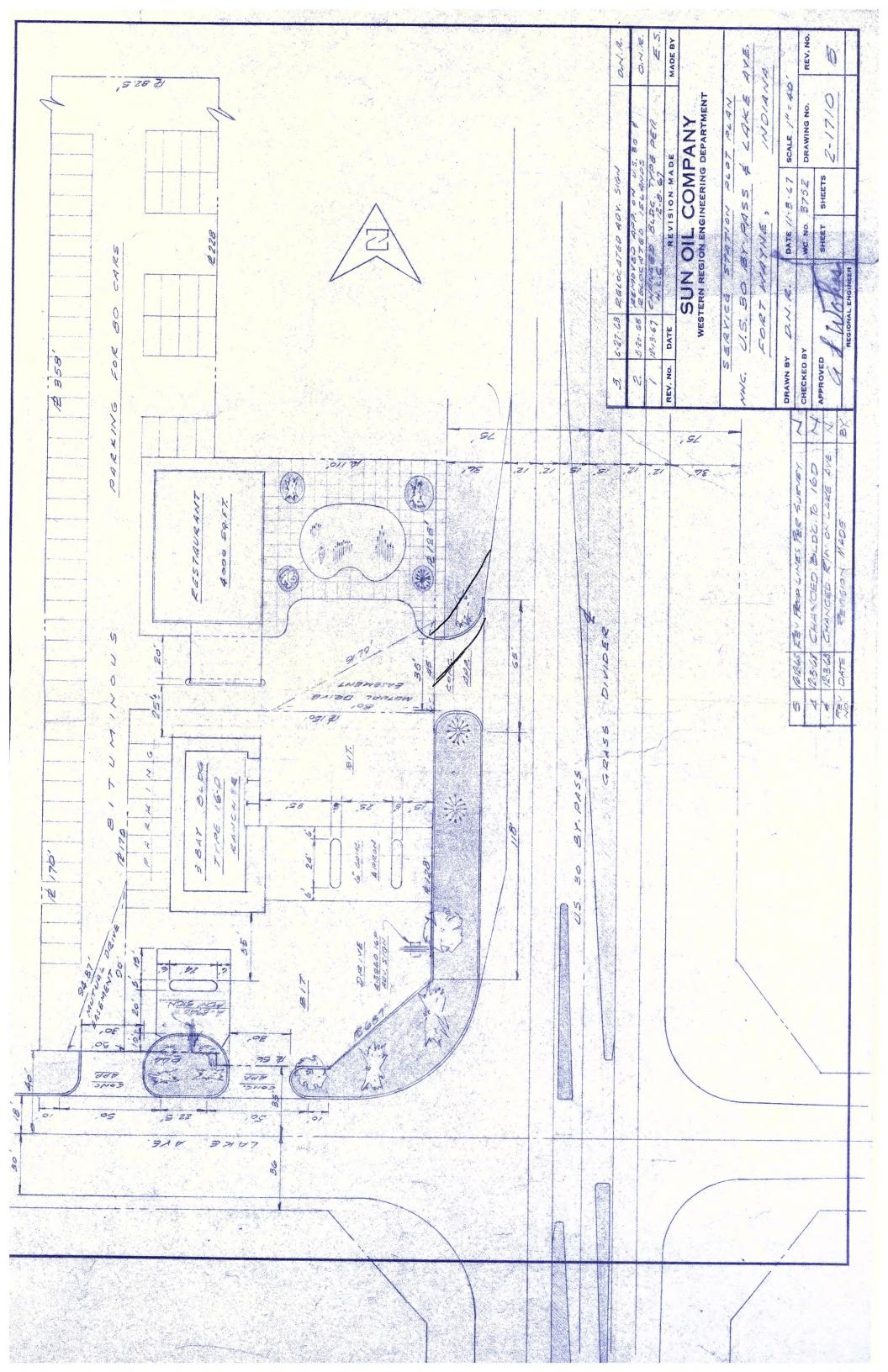
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The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said city and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Session, held on Session, held on The day of Session, held on The day of Session, held on The day adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 17th day of hand, 19 4 .

Fuad G. Bonahoom City Clerk

SEAL